



Please type a plus sign (+) in the space provided [ + ]

PTO/SB/01 (12/97)  
Approved for use through 09/30/00. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)</b>	Attorney Docket Number	Borden P10US0	
	First Named Inventor	WIBOWO, Eko-Adi et al.	
	COMPLETE IF KNOWN		
	Application Number		
	Filing Date	December 23, 1999	
	Group Art Unit		
<input type="checkbox"/> Declaration Submitted with Initial Filing	<input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)	Examiner Name	

As a below named Inventor, I hereby declare that:

My resident, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SOFT, PRIORITIZED EARLY PACKET DISCARD (SPEPD) SCHEME

the specification of which

(Title of the Invention)

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY)

December 23, 1999

As United States Application No. or PCT International

Application Number

09/470,787

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign applications(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Numbers(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES NO
2,279,728	Canada	August 6, 1999		

[ ] Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

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**DECLARATION — Utility or Design Patent Application**

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

☐

Customer



Place Customer Number Bar Label here

OR

☒

Registered practitioner(s) name/registration number listed below

Name	Registration Number	Name	Registration Number
Thomas L. Lockhart Peter Visserman Timothy E. Eagle	Reg. No. 29,324 Reg. No. 25,185 Reg. No. 31,755		

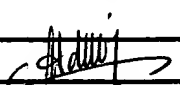
☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☐ Customer Number or Bar Code Label  OR ☒ Correspondence address below

Name	Timothy E. Eagle				
Address	VARNUM, RIDDERING, SCHMIDT & HOWLETT LLP				
Address	Bridgewater Place, P.O. Box 352				
City	Grand Rapids	State	Michigan	ZIP	49501-0352
Country	US	Telephone	(616) 336-6000	Fax	(616) 336-7000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.

**Name of Sole or First Inventor:** ☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])		Family Name or Surname			
Eko-Adi		Wibowo			
Inventor's Signature				Date	March 6, 2000
Residence: City	Ottawa	State	ON	Country	Canada
Post Office	160 Sai Crescent				
Post Office					
City	Ottawa	State	ON	ZIP	K1G 5P2
Country	Canada				

[1] Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto

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PTO/SB/02A (12/97)  
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<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S)</b> <b>Supplemental Sheet</b> Page <u>1</u> of <u>1</u>
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<b>Name of Additional Joint Inventor, if any:</b>								<input type="checkbox"/> A petition has been filed for this unsigned inventor							
Given Name (first and middle (if any))				Family Name or Surname											
Jun				Huang											
Inventor's Signature		<i>Jun Huang</i>				Date		March 13 /00							
Residence: City		Ottawa		State		ON		Country		Canada		Citizenship		Canadian	
Post Office		1326 Maitland Avenue													
Post Office															
City		Ottawa		State		ON		ZIP		K1K 2K1		Country		Canada	
<input type="checkbox"/> Additional inventors are being named on the														supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto	

<b>Name of Additional Joint Inventor, if any:</b>								<input type="checkbox"/> A petition has been filed for this unsigned inventor							
Given Name (first and middle (if any))				Family Name or Surname											
Inventor's Signature						Date									
Residence: City				State				Country				Citizenship			
Post Office															
Post Office															
City				State				ZIP				Country			
<input type="checkbox"/> Additional inventors are being named on the														supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto	

<b>Name of Additional Joint Inventor, if any:</b>								<input type="checkbox"/> A petition has been filed for this unsigned inventor							
Given Name (first and middle (if any))				Family Name or Surname											
Inventor's Signature						Date									
Residence: City				State				Country				Citizenship			
Post Office															
Post Office															
City				State				ZIP				Country			
<input type="checkbox"/> Additional inventors are being named on the														supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto	



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

☒ In re application of:

Serial No.: 09/ 470,787

Group No.: 2739

Filed: December 23, 1999

Examiner: Unknown

Title: SOFT, PRIORITIZED EARLY PACKET DISCARD (SPEPD) SCHEME

☐ Patent No.: Issued:

*\*NOTE: Insert name(s) of inventor(s) and title also for patent. Where statement is with respect to a maintenance fee payment also insert application serial number and filing date and add Box M. Fee to address.*

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(c-f) AND 1.27(b-d))**

With respect to the invention described in

- ☐ the specification filed herewith.  
☒ application serial no. 09/ 470,787, filed December 23, 1999  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

**I. IDENTIFICATION OF DECLARANT AND RIGHTS AS A SMALL ENTITY**

I hereby declare that I am

*(complete either (a), (b), (c) or (d) below):*

**(a) Independent Inventor**

- ☐ a below named independent inventor and that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code to the Patent and Trademark Office.

**(b) Non-inventor Supporting a Claim by Another**

- ☐ making this verified statement to support a claim by \_\_\_\_\_

for a small entity status for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code and I hereby declare that I would qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under 41(a) and (b) of Title 35, United States Code, if I had made the above identified invention.

**(c) Small Business Concern**

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Concern SPACEBRIDGE NETWORKS CORPORATION  
Address of Concern 115 Chaplain Street, Hull, Quebec J8X 3R1,  
Canada

and that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of the Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

**(d) Non-Profit Organization**

- ☐ an official empowered to act on behalf of the non-profit organization identified below:

NAME OF ORGANIZATION \_\_\_\_\_

ADDRESS OF ORGANIZATION \_\_\_\_\_

**TYPE OF ORGANIZATION**

- ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGH EDUCATION
- ☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c) (3))
- ☐ NON-PROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)
- ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c) (3)) IF LOCATED IN THE UNITED STATES OF AMERICA
- ☐ WOULD QUALIFY AS NON-PROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)

and that the non-profit organization identified above qualifies as a non-profit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code.

**II. OWNERSHIP OF INVENTION BY DECLARANT**

I hereby declare that rights under contract or law remain with and/or have been conveyed to the above identified

☐ person  
(item (a) or (b) above)

☒ concern  
(item (c) above)

☐ organization  
(item (d) above)

EXCEPT, that if the rights held are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held (1) by any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, (2) any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or (3) a non-profit organization under 37 CFR 1.9(e).

- ☒ no such person, concern, or organization  
☐ person, concerns or organizations listed below\*

**\*NOTE:** *Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)*

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

☐ Individual    ☐ Small Business Concern    ☐ Non-Profit Organization

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

☐ Individual    ☐ Small Business Concern    ☐ Non-Profit Organization

### III. ACKNOWLEDGEMENT OF DUTY TO NOTIFY PTO OF STATUS CHANGE

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

### IV. DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

**V. SIGNATURE**

*Note: The title of the person signing on behalf of a concern or non-profit organization should be specified.*

NAME OF PERSON SIGNING MICHAEL KELLY

TITLE OF PERSON VICE-PRESIDENT FINANCE

(if signing on behalf of a concern or non-profit organization)

ADDRESS OF PERSON SIGNING 115, CHAMPLAIN, HULL, QUEBEC, CANADA J8X 3R1

SIGNATURE  DATE March 7, 2000.